

1
2
3
4
5
6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 CARREA CHRISTOPHER,
10 Plaintiff,

11 v.

12 FORD MOTOR COMPANY, INC.,
13 Defendant.
14

Case No. 2:17-CV-738-RSL

ORDER DENYING
DEFENDANT'S MOTION
TO DISMISS FIRST
AMENDED COMPLAINT

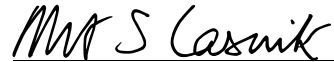
15 This matter comes before the Court on defendant Ford Motor Company, Inc.'s "Motion
16 to Dismiss First Amended Complaint under FRCP 12(b)(2) and (3)." Dkt. #45. Defendant
17 requested that plaintiff's First Amended Complaint ("FAC") be dismissed for lack of personal
18 jurisdiction over defendant and improper venue. See Fed. R. Civ. P. 12(b). Plaintiff filed a
19 response on May 11, 2018. Dkt. #59. In its reply, defendant conceded that "the facts alleged for
20 the first time in Plaintiff's Response, if alleged in the Complaint, would be sufficient to establish
21 specific personal jurisdiction over Ford." Defendant's counsel accordingly contacted plaintiff on
22 May 17, 2018, and offered to withdraw its pending motion upon the filing of a stipulation
23 allowing plaintiff leave to file a second amended complaint containing the additional
24 jurisdictional facts. Dkt. #61.

25 A stipulated motion to file a second amended complaint was filed on May 31, 2018. Dkt.
26 #63. The parties also stipulated that defendant would "not assert any defense based on lack of
27 personal jurisdiction or improper venue." Id. at 1. The stipulated motion was granted on
28

1 September 4, 2018, Dkt. #64, and plaintiff's Second Amended Complaint was filed on
2 September 11, 2018. Dkt. 65. Defendant filed its Answer on September 13, 2018. Dkt. #66.

3 Defendant's motion to dismiss plaintiff's FAC is therefore DENIED as moot.
4

5
6 DATED this 6th day of February, 2019.

7 

8 Robert S. Lasnik
9 United States District Judge
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28